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10/606,129	06/24/2003	Paul E. Jacobs	030408	4024

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EXAMINER
TAN, ALVIN H

ART UNIT	PAPER NUMBER
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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 February 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>7-13, 20-26, 33-39 and 53-96</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>7-13, 20-26, 33-39 and 53-96</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>11 February 2007</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Remarks

1.   Claims 7-13, 20-26, 33-39, and 53-96 have been examined and rejected. This

Office action is responsive to the amendment filed on 2/11/07, which has been entered

in the above identified application.

Drawings

2.   The replacement sheet for Figure 5 submitted on 2/11/07 has been considered

and is entered into the application. The objections to the drawing have been withdrawn.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of
> making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
> art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
> set forth the best mode contemplated by the inventor of carrying out his invention.

4.   Claims 7-13, 20-26, 53-70, and 80-96 are rejected under 35 U.S.C. 112, first

paragraph, as failing to comply with the written description requirement. The claims

contain subject matter which was not described in the specification in such a way as to

reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

application was filed, had possession of the claimed invention. Nowhere in Applicant's

specification discloses that the identification is performed <u>without requiring the use of a</u>

special identification tool as has been amended to claims 53, 62, 80, and 96. Applicant's

specification only discloses that the user "may identify the portion within the document

by highlighting, clicking on, speaking, or touching the portion" *[paragraph 15 of the*

specification]. There is no mention of restrictions on what is used to highlight, click on,

speak, or touch the identified portion. For purposes of a prior art rejection and based on

the closest teaching in Applicant's specification, any manner may be used for

highlighting, clicking on, speaking, or touching the identified portion of the document.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 7, 20, 33, 53-55, 58, 60-64, 67, 69-73, 76, 78-82, and 96 are rejected

under 35 U.S.C. 103(a) as being unpatentable over Hung (Pub No. US 2002/0087584)

and Rivette et al (U.S. Patent No. 5,809,318), herein after, Rivette.

Claim 53, 7, 54, 55, 58, 60, 61 (Method)

Claim 62, 20, 63, 64, 67, 69, 70 (Computer Readable Medium)

Claim 71, 33, 72, 73, 76, 78, 79 (Apparatus)

Claim 80, 81, 82 (Apparatus)

Claim 96 (Processor)

6-1.   Regarding claims 53, 62, 71, 80, and 96, Hung teaches the claim comprising

presenting a document on a user interface of an apparatus, by disclosing a method and

system for organizing messages that arrive at a communication terminal or other

machine *[paragraph 5, lines 1-4]*. The machine may be programmed to present a

received-message to a user and to allow the user to select one or more values from the

message, to be used as the message-filter expression *[paragraph 42, lines 1-4]*.

Hung teaches receiving from a user of the apparatus an identification of a portion

of the document while presenting the document and automatically transferring the

document into a folder associated with the portion based on the received identification,

by disclosing that upon the receipt of a message, the communication terminal may

present a received-message to a user and may prompt the user to select an expression

from the received-message, to be used to identify a new folder, such as an expression

from the body of the message. A new folder may be created to store messages that

match the expression selected by the user and may store the message and other

matching messages in the folder *[paragraph 6]*.

As per claims 53, 62, 80, and 96, Hung teaches wherein the identification may be

performed by a variety of techniques *[paragraph 43]*.

As per claims 80 and 96, Hung teaches the claim comprising a processor,

memory, output device, and input device, by disclosing *[paragraph 19, figure 2]*.

Hung further teaches that any of a variety of methods may be used to select a

word from the e-mail *[paragraph 43]*. Although Hung teaches receiving an identification

of a portion of the document, the limitation of receiving an un-prompted identification is not expressly taught. Such a method of performing operations on highlighted text without using prompts is taught by Rivette. Rivette teaches automatically performing operations, in this case creating a new note, without the need for a prompt when selecting a portion of text from an electronic document using a pen tool *[Rivette, column 45, lines 11-21]*. Thus, when selecting text to create a new note in an electronic document, a prompt is not needed to confirm the selected text. This eliminates an extra step needed when performing operations on selected text and thus, makes the program more efficient in that the user may perform the operations faster. The fact that the user is prompted for confirmation of a selected portion of the document in Hung merely provides additional help to the user when selecting the portion. In this case, the prompt given in Hung allows the user to confirm that the selection made was in fact correct. Thus, the prompt may be eliminated and the instant selection of text with operations automatically done on those selections may be performed without any adverse effect to the essential function of the e-mail organizing system of Hung. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow selection of a portion of the document and perform operations on the selected portion without the need for a prompt, as taught by Rivette. This would make the program more efficient by eliminating the extra step of prompting the user for confirmation when selecting text for organizing e-mail messages.

6-2.   Regarding claims 7, 20, and 33, Hung and Rivette further teach the claim of the

method wherein the folder includes a pre-established folder, by disclosing that if the

message satisfies an existing message-filter expression, the message may be stored in

that folder [Hung, paragraph 74].

6-3.   Regarding claims 54, 63, 72, and 81, Hung and Rivette teach the claim wherein

said automatically transferring further comprises automatically creating a new folder

associated with the un-prompted identified portion if a pre-established folder associated

with the identified portion does not exist, and transferring the document to the new

folder, by disclosing that if the message does not satisfy the message-filter expression

of any existing folder, a new folder for the message may be created by selecting a

portion of the document [Hung, paragraph 74].

6-4.   Regarding claims 55, 64, 73, and 82, Hung and Rivette teach the claim wherein

said automatically transferring further comprises one of transferring the document to a

pre-established folder associated with the un-prompted identified portion and

transferring the document to a new folder, by disclosing that the message may be

stored in a pre-established folder or a newly created folder [Hung, paragraph 74].

Hung and Rivette teach wherein transferring the document to the new folder

further comprises automatically creating the new folder in association with the un-

prompted identified portion if the pre-established folder does not exist, by disclosing that

if the message does not satisfy the message-filter expression of any existing folder, a

new folder for the message may be created by selecting a portion of the document

[Hung, paragraph 74].

6-5.   Regarding claims 58, 67, and 76, Hung and Rivette teach the claim wherein said

receiving comprises receiving a selection of at least one of a word and a symbol, by

disclosing that the user can select a value from a text message *[Hung, paragraph 42]*.

6-6.   Regarding claims 60, 69, and 78, Hung and Rivette further teach the claim of the

method wherein said receiving comprises receiving a spoken representation of the

portion, by disclosing that input means includes a microphone *[Hung, paragraph 19,*

lines 11-15].

6-7.   Regarding claims 61, 70, and 79, Hung and Rivette further teach the claim of the

method wherein said receiving comprises receiving a touch associated with the portion,

by disclosing that input means includes a touch sensitive display *[Hung, paragraph 19,*

lines 11-15].

7.   Claims 8, 9, 21, 22, 34, and 35 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hung (Pub No. US 2002/0087584). Rivette et al (U.S. Patent No.

5,809,318), herein after, Rivette. and Internet Explorer 5, as taught by Freeze ("Sams'

Teach Yourself Microsoft Internet Explorer 5 in 24 Hours", 1999).

Claims 8, 9 (Method)

Claims 21, 22 (Computer Readable Medium)

Claims 34, 35 (Apparatus)

7-1.   Regarding claims 8, 21, and 34, Hung and Rivette teach the invention

substantially as claimed. See section 6-1. Hung and Rivette do not expressly teach

further indicating that the document is being transferred into the folder. Freeze teaches

that Internet Explorer shows a download status screen when a document is being

transferred to a computer *[page 392]*.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to include, in the system for organizing messages of Hung and

Rivette, the use of a status screen to show the transfer of a document to a folder, as

taught by Freeze. This would alert the user that a document is being transferred.

7-2.   Regarding claims 9, 22, and 35, Hung and Rivette teach the invention

substantially as claimed. See section 6-1. Hung and Rivette do not expressly teach the

claim of the method further indicating that the document has been transferred to the

second folder. Freeze teaches that Internet Explorer displays a message indicating that

the transfer of a document to a folder has been completed *[page 393]*.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to include, in the system for organizing messages of Hung and

Rivette, the use of message window to indicate that the transfer of a document to a

folder has been completed, as taught by Freeze. This would alert the user that a

document has been transferred.

8.   Claims 56, 57, 59, 65, 66, 68, 74, 75, 77, 83-89 are rejected under 35 U.S.C.

103(a) as being unpatentable over Hung (Pub No. US 2002/0087584), Rivette et al

(U.S. Patent No. 5,809,318), herein after, Rivette, and Clark et al (US Patent No

6,725,228).

Claim 56, 57, 59 (Method)

Claim 65, 66, 68 (Computer Readable Medium)

Claim 74, 75, 77 (Apparatus)

Claims 83, 84, 86 (Apparatus)

8-1.   Regarding claims 56, 57, 65, 66, 74, 75, 83, and 84, Hung and Rivette teach the

invention substantially as claimed. See section 6-1. Hung and Rivette further teach the

claim further comprising receiving an un-prompted identification of at least one other

portion of the document while presenting the document, by disclosing that more than

one portion of the document may be selected *[Hung, paragraph 73]*.

Hung and Rivette teach that if the message does not satisfy the message-filter

expression of any existing folder, a new folder for the message may be created by

selecting a portion of the document *[Hung, paragraph 74]*.

Hung and Rivette do not expressly teach automatically transferring the document

into at least one other folder associated with each identified other portion of the

document. Clark teaches a similar invention that organizes messages into multiple folders based on the contents and attributes of the message *[column 4, lines 26-39]*. Clark's invention improves upon prior art by teaching that in the prior art, filtering rules cannot organize a message into multiple folders without creating multiple copies of the message *[column 2, lines 28-32]*. Thus, Clark teaches that the ability to organize a message into multiple folders using filtering rules is well known.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung and Rivette, transferring messages into multiple folders, as taught by Clark. This would give the user more flexibility when organizing messages since the user would not be restricted to a single folder. Further, in accordance with Hung *[paragraph 74]*, if a pre-established folder associated with the respective identified other portion does not exist, a new folder will be created and the document would be transferred to it.

8-2:   Regarding claims 59, 68, 77, and 86, Hung and Rivette further teach that words may be presented to the user, in which case, the user selects the word *[Hung, paragraph 43]*. The communication terminal may be a notebook computer *[Hung, paragraph 16]*.

Hung and Rivette do not expressly teach the claim wherein said receiving comprises receiving a click on the portion. Clark teaches that a message client provides a user interface on a laptop computer *[Clark, column 12, lines 7-10]* and receives user

input from the interface using an input device such as a mouse *[Clark, column 9, lines 30-35]*.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system of organizing messages of Hung and Rivette, the use of a mouse as an input device, as taught by Clark. The use of a mouse as an input device provides a more flexible input device for inputting commands. This would allow a user to select the word by clicking on it.

Claims 85, 87-89

8-3.   Regarding claims 85, Hung, Rivette, and Clark teach the claim wherein said receiving comprises receiving a selection of at least one of a word and a symbol, by disclosing that the user can select a value from a text message *[Hung, paragraph 42]*.

8-4.   Regarding claims 87, Hung, Rivette, and Clark further teach the claim of the method wherein said receiving comprises receiving a spoken representation of the portion, by disclosing that input means includes a microphone *[Hung, paragraph 19, lines 11-15]*.

8-5.   Regarding claims 88, Hung, Rivette, and Clark further teach the claim of the method wherein said receiving comprises receiving a touch associated with the portion, by disclosing that input means includes a touch sensitive display *[Hung, paragraph 19, lines 11-15]*.

8-6.   Regarding claims 89, Hung, Rivette, and Clark further teach the claim of the method wherein the folder includes a pre-established folder, by disclosing that if the message satisfies an existing message-filter expression, the message may be stored in that folder *[Hung, paragraph 74]*.

9.   Claims 10-13, 23-26, 36-39, and 90-95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hung (Pub No. US 2002/0087584), Rivette et al (U.S. Patent No. 5,809,318), herein after, Rivette, Clark et al (US Patent No 6,725,228), and Internet Explorer 5, as taught by Freeze ("Sams' Teach Yourself Microsoft Internet Explorer 5 in 24 Hours", 1999).

Claim 10-13 (Method)

Claim 23-26 (Computer Readable Medium)

Claim 36-39 (Apparatus)

9-1.   Regarding claims 10, 23, and 36, Hung and Rivette teach the invention substantially as claimed. See section 6-1. Hung and Rivette do not expressly teach transferring the document into a second folder associated with a second identified portion. Clark teaches a similar invention that organizes messages into multiple folders based on the contents and attributes of the message *[column 4, lines 26-39]*. Clark's invention improves upon prior art by teaching that in the prior art, filtering rules cannot organize a message into multiple folders without creating multiple copies of the

message *[column 2, lines 28-32]*. Thus, Clark teaches that the ability to organize a message into multiple folders using filtering rules is well known.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung and Rivette, transferring messages into multiple folders, as taught by Clark. This would give the user more flexibility when organizing messages since the user would not be restricted to a single folder.

Hung, Rivette, and Clark do not expressly teach further indicating that the document is being transferred into the second folder. Freeze teaches that Internet Explorer shows a download status screen when a document is being transferred to a computer *[page 392]*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung, Rivette and Clark, the use of a status screen to show the transfer of a document to a folder, as taught by Freeze. This would alert the user that a document is being transferred.

9-2.   Regarding claims 11, 24, and 37, Hung and Rivette teach the invention substantially as claimed. See section 6-1. Hung and Rivette do not expressly teach transferring the document into a second folder associated with a second identified portion. Clark teaches a similar invention that organizes messages into multiple folders based on the contents and attributes of the message *[column 4, lines 26-39]*. Clark's invention improves upon prior art by teaching that in the prior art, filtering rules cannot

organize a message into multiple folders without creating multiple copies of the

message [column 2, lines 28-32]. Thus, Clark teaches that the ability to organize a

message into multiple folders using filtering rules is well known.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to include, in the system for organizing messages of Hung and

Rivette, transferring messages into multiple folders, as taught by Clark. This would give

the user more flexibility when organizing messages since the user would not be

restricted to a single folder.

Hung, Rivette, and Clark do not expressly teach the claim of the method further

indicating that the document has been transferred to the second folder. Freeze teaches

that Internet Explorer displays a message indicating that the transfer of a document to a

folder has been completed [page 393]. It would have been obvious to one of ordinary

skill in the art at the time the invention was made to include, in the system for organizing

messages of Hung, Rivette, and Clark, the use of message window to indicate that the

transfer of a document to a folder has been completed, as taught by Freeze. This would

alert the user that a document has been transferred.

9-3.   Regarding claims 12-13, 25-26, and 38-39, Hung, Rivette, Clark, and Freeze

teach the invention substantially as claimed. See section 8-2. Hung further teaches that

the message may be stored in a pre-established folder or a newly created folder

[paragraph 74].

Claims 90-95

9-4.   Regarding claim 90, Hung, Rivette, and Clark teach the invention substantially as claimed. See section 8-1. Hung, Rivette, and Clark do not expressly teach further indicating that the document is being transferred into the folder. Freeze teaches that Internet Explorer shows a download status screen when a document is being transferred to a computer *[page 392]*.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung, Rivette, and Clark, the use of a status screen to show the transfer of a document to a folder, as taught by Freeze. This would alert the user that a document is being transferred.

9-5.   Regarding claim 91, Hung, Rivette, and Clark teach the invention substantially as claimed. See section 8-1. Hung, Rivette, and Clark do not expressly teach the claim of the method further indicating that the document has been transferred to the second folder. Freeze teaches that Internet Explorer displays a message indicating that the transfer of a document to a folder has been completed *[page 393]*.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung and Rivette, the use of message window to indicate that the transfer of a document to a folder has been completed, as taught by Freeze. This would alert the user that a document has been transferred.

9-6.   Regarding claim 92, Hung, Rivette, and Clark teach the invention substantially as claimed. See section 8-1. Hung and Rivette do not expressly teach transferring the document into a second folder associated with a second identified portion. Clark teaches a similar invention that organizes messages into multiple folders based on the contents and attributes of the message *[column 4, lines 26-39]*. Clark's invention improves upon prior art by teaching that in the prior art, filtering rules cannot organize a message into multiple folders without creating multiple copies of the message *[column 2, lines 28-32]*. Thus, Clark teaches that the ability to organize a message into multiple folders using filtering rules is well known.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung and Rivette, transferring messages into multiple folders, as taught by Clark. This would give the user more flexibility when organizing messages since the user would not be restricted to a single folder.

Hung, Rivette, and Clark do not expressly teach further indicating that the document is being transferred into the second folder. Freeze teaches that Internet Explorer shows a download status screen when a document is being transferred to a computer *[page 392]*. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include, in the system for organizing messages of Hung, Rivette and Clark, the use of a status screen to show the transfer of a document to a folder, as taught by Freeze. This would alert the user that a document is being transferred.

9-7.   Regarding claim 93, Hung, Rivette, and Clark teach the invention substantially as

claimed. See section 8-1. Hung and Rivette do not expressly teach transferring the

document into a second folder associated with a second identified portion. Clark

teaches a similar invention that organizes messages into multiple folders based on the

contents and attributes of the message [column 4, lines 26-39]. Clark's invention

improves upon prior art by teaching that in the prior art, filtering rules cannot organize a

message into multiple folders without creating multiple copies of the message [column

2, lines 28-32]. Thus, Clark teaches that the ability to organize a message into multiple

folders using filtering rules is well known.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to include, in the system for organizing messages of Hung and

Rivette, transferring messages into multiple folders, as taught by Clark. This would give

the user more flexibility when organizing messages since the user would not be

restricted to a single folder.

Hung, Rivette, and Clark do not expressly teach the claim of the method further

indicating that the document has been transferred to the second folder. Freeze teaches

that Internet Explorer displays a message indicating that the transfer of a document to a

folder has been completed [page 393]. It would have been obvious to one of ordinary

skill in the art at the time the invention was made to include, in the system for organizing

messages of Hung, Rivette, and Clark, the use of message window to indicate that the

transfer of a document to a folder has been completed, as taught by Freeze. This would

alert the user that a document has been transferred.

9-8.   Regarding claims 94 and 95, Hung, Rivette, Clark, and Freeze teach the

invention substantially as claimed. See section 8-2. Hung further teaches that the

message may be stored in a pre-established folder or a newly created folder *[paragraph*

74].

Response to Arguments

10.   The Examiner acknowledges the Applicant's amendments to claims 53, 62, 80,

and 96. Regarding claims 53, 62, 80, and 96, Applicant alleges that Hung (Pub No. US

2002/0087584) and Rivette et al (U.S. Patent No. 5,809,318), as described in the

previous Office action, do not explicitly teach having an un-prompted identification

without the use of a special identification tool, as has been amended to the claims. The

amended claims, however, contain subject matter which was not described in the

specification in such a way as to reasonably convey to one skilled in the relevant art that

the inventor(s), at the time the application was filed, had possession of the claimed

invention. For purposes of a prior art rejection and based on the closest teaching in

Applicant's specification, any manner may be used for highlighting, clicking on,

speaking, or touching the identified portion of the document *[paragraph 15 of Applicant's*

the specification]. Thus, contrary to Applicant's arguments and in accordance with the

interpretation given, Hung and Rivette are still considered to teach the claim. Hung and

Rivette teach that a variety of selection techniques may be used for identifying a portion

of the document *[Hung, paragraph 43; Rivette, column 45, lines 11-21]*.

Examiner notes *[page 14, paragraph 2, line 5]* of Applicant's remarks stating that

each independent claim has been amended in a similar fashion. Contrary to this

statement, independent claim 71 has not been amended. Thus, claim 71 has been

rejected for the same reasons as presented in the prior Office action.

Applicant states that dependent claims 7-13, 20-26, 33-39, 54-61, 63-70, 72-79,

and 81-95 recite all the limitations of the independent claims, and thus, are allowable in

view of the remarks set forth regarding independent claims 53, 62, 71, and 80.

However, as discussed above, Hung and Rivette are considered to teach claims 53, 62,

71, and 80, and consequently, claims 7-13, 20-26, 33-39, 54-61, 63-70, 72-79, and 81-

95 are rejected.

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

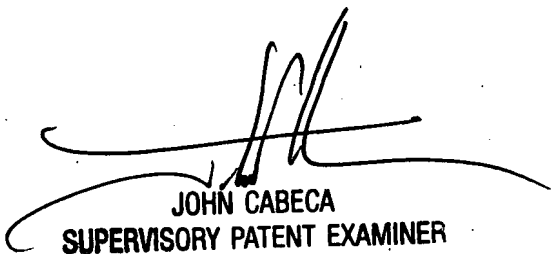than SIX MONTHS from the mailing date of this final action.

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Alvin H. Tan whose telephone number is 571-272-8595.

The examiner can normally be reached on Mon-Fri 10:00-6:30.

       If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Cabeca can be reached on 571-272-4048. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

       Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AHT
Assistant Examiner
Art Unit 2173

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100